

DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2003 NOV -9 PM 5: 57

Appln No.: 10/713,442
Filed: November 14, 2003
Applicant: George J. FRANKS, JR.
Title: METHODS AND APPARATUS
TO SECURE A GROUND
STRAP ASSEMBLY TO AN
ELECTRICALLY CONDUCTIVE
MEMBER
Art Unit: 2831
Examiner: Dhirubhai R. PATEL

Confirmation No. 9617

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

11/4/2004

Date

Mark W. Hetzler

Registration No. 38,183

Attorney for Applicant(s)

Attorney Docket No.: 7451/79374
Customer No.: 22242

Mail Stop 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

ATTENTION: Refund Section, Accounting Division
Office of Finance

**REQUEST FOR REFUND
FOR IMPROPER CHARGE TO DEPOSIT ACCOUNT**

Sir:

This request is for refund of an improper charge to Deposit Account No. 06-1135 in connection with the above-referenced patent application. Our Deposit Account was improperly charged the basic filing fee rather than the filing fee reduced by half for applicants asserting entitlement to small entity status.

Application No. 10/713,442
Filed November 14, 2003
REQUEST FOR REFUND FOR IMPROPER CHARGE
TO DEPOSIT ACCOUNT dated November 4, 2004

Accompanying this request are copies of the Continuing Patent Application Transmittal, the official Filing Receipt, and pertinent pages of our Deposit Account Statement for the month of November, 2003.

A refund in the amount of \$599.00 is requested.

REMARKS

This application was sent to the U.S. Patent and Trademark Office on November 14, 2003 with a Continuing Patent Application Transmittal, General Authorization for Petition for Extension of Time, formal drawings, and a Declaration. On page 4 of the Transmittal, Applicant asserted entitlement to Small Entity Status, reducing the filing fee by half, and authorized the charge of \$599.00 to Deposit Account No. 06-1135. On February 17, 2004, the Patent Office mailed the official Filing Receipt acknowledging receipt of the patent application. The official Filing Receipt indicates a filing fee received of \$1,198.00 and fails to indicate status as a small entity. The Deposit Account Statement for November 2003 indicates that on November 19th our account was charged \$770.00 for the basic filing fee, \$342.00 for total claims in excess of twenty, and \$86.00 for independent claims in excess of three.

We respectfully request that our Deposit Account No. 06-1135 be credited in the amount of \$599.00 that portion of the basic filing fee, total claims in excess of twenty, and independent claims in excess of three improperly charged for filing by a non-small entity. A duplicate copy of this Request is enclosed.

In accordance with the instructions on the Filing Receipt, we are filing a separate request with the Office of Initial Patent Examination's Filing Receipt Corrections for issuance of a corrected Filing Receipt to reflect the proper fees

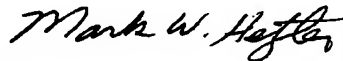
Application No. 10/713,442
Filed November 14, 2003
REQUEST FOR REFUND FOR IMPROPER CHARGE
TO DEPOSIT ACCOUNT dated November 4, 2004

charged for the application, and that status as a Small Entity be indicated on the
Filing Receipt as well.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By



Mark W. Hetzler

Registration No. 38,183

November 4, 2004

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone (312) 577-7000
Facsimile (312) 577-7007

Page 1 of 3

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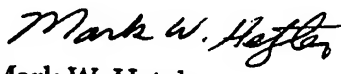
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November 4, 2004

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone (312) 577-7000
Facsimile (312) 577-7007

DIVISION

204 NOV 10 PM 1:38

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request under 37 C.F.R. §1.53(b) for filing a:

- ☐ Continuation application,
☐ Divisional application,
☒ Continuation-in-Part application,

of pending prior application number 10/365,293, filed on February 12, 2003 by inventor(s) George J. FRANKS, Jr. entitled METHODS AND APPARATUS TO SECURE GROUND STRAP ASSEMBLY TO AN ELECTRICALLY CONDUCTIVE MEMBER.

Prior application information: Examiner Dhirubhair R. Patel Art Unit 2831.

1. ☐ This is a continuation or divisional application. Enclosed is a copy of the prior application as originally filed, including specification, claims, drawings, and oath or declaration.

- or -

- ☒ Enclosed is a patent application (for continuation, divisional, or continuation-in-part applications) containing:

☒ 21 pages of the specification (including claims).

☒ 7 sheet(s) of drawings. ☒ Formal ☐ Informal

2. ☐ Amend the specification by inserting before the first line the sentence: --This is a ☐ continuation, ☐ division, ☐ continuation-in-part, of prior application number _____, filed _____, which is hereby incorporated herein by reference in its entirety.-- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 3 below, is considered as being part

**CONTINUING PATENT APPLICATION
TRANSMITTAL** (for Continuing
Applications under 37 C.F.R. §1.53(b))

Attorney Docket No. 79374

Customer No. 22242

First Named Inventor or Application
Identifier: George J. Franks, Jr.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EL 667 459 214 US

Date of Deposit November 14, 2003

I hereby certify that this paper or fee is being deposited with sufficient postage utilizing the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dominic Vessell

(Typed or printed name of person mailing)

Dominic Vessell
(Signature of person mailing)

SN4T265429973

of the disclosure of the accompanying application, and is hereby incorporated by reference therein.

3. ☐ A copy of the executed Oath or Declaration filed in the prior nonprovisional application is enclosed.
4. ☒ Inventorship:
- ☒ A newly-executed Oath or Declaration and Power of Attorney is enclosed (for continuation-in-part applications, or for continuation or divisional applications naming an inventor not named in the prior application) (§1.63(a), (d)(5) and (e)).
- ☐ Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. §1.63(d)(1)(2)):
- _____
- _____
- ☐ The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted Oath or Declaration and Power of Attorney (§1.41(a) and §1.53(b)).
5. ☒ An Assignment of the invention to SENIOR INDUSTRIES, INC., and cover sheet are enclosed.
- ☐ A check in the amount of \$ _____ to cover the fee for recording the assignment is enclosed.
- ☒ The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.
6. ☒ The prior application is assigned of record to SENIOR INDUSTRIES, INC.
7. ☐ A 37 C.F.R. §3.73(b) statement is enclosed where an assignee seeks to take action.
8. ☐ A preliminary amendment is enclosed.
9. ☒ Drawings:
- ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May be used only if signed by person authorized by §1.138 and before payment of base issue fee.)

- ☒ New formal drawings are enclosed.
- ☐ Informal drawings are enclosed.
- 10. ☒ A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.
- 11. ☐ An Information Disclosure Statement is enclosed.
 - ☐ A Form PTO/SB/08 is enclosed.
 - ☐ _____ References (copies) listed on the Form PTO/SB/08 are enclosed.
- 12. ☐ A Computer Program Listing Appendix is enclosed.
 - ☐ A Transmittal Cover Letter for Computer Program Listing Appendix is enclosed.
 - ☐ Two (2) Compact Discs are enclosed.
- 13. ☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
 - ☐ A Computer Readable Copy is enclosed.
 - ☐ A Paper Copy (Identical to Computer Copy) is enclosed.
 - ☐ A Statement Verifying Identity of above Copies is enclosed.
- 14. ☒ A Return Receipt Postcard is enclosed (MPEP §503).
- 15. ☐ Priority of application number _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
 - ☐ The certified copy of the priority document has been filed in prior application number _____, filed _____.
 - ☐ A certified copy of the priority document is enclosed.

16. ☐ Power of Attorney:

☐ The power of attorney in the prior application is to:

☐ _____, Registration No. _____
FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
and other members of the firm.

☐ Customer Number 22242.

☐ The power appears in the original papers in the prior application.

☐ Since the power does not appear in the original papers in the prior application, a copy of the power in the prior application is enclosed.

17. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

18. ☒ The filing fee is calculated below:

Fee Calculation for Claims as Filed in the Prior Application,
Less Any Claims Cancelled by Amendment

Basic Utility Fee					\$770.00	\$	770.00
Independent Claims	4	-	3	=	1	x	\$ 86.00 = \$ 86.00
Total Claims	39	-	20	=	19	x	\$ 18.00 = \$ 342.00
Fee for Multiply Dependent Claims					\$290.00	\$	0.00
or							
Basic Design Fee					\$340.00		
					Total Filing Fee	\$	1,198.00
<input checked="" type="checkbox"/> Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27), reducing the Filing Fee by half to:						\$	599.00

19. ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.

20. ☒ Charge \$ 639.00 to Deposit Account No. 06-1135.

21. ☐ The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.

22. ☒ The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. § 1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Director is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This request is filed in triplicate.
23. ☐ Also enclosed:
24. ☒ Address all future communications to CUSTOMER NUMBER 22242.

November 14, 2003

Date

Mark W. Hetzler

Mark W. Hetzler

Registration No. 38,183

☒ Attorney or agent of record

☐ Filed under § 1.34(a)

FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/713,442	11/14/2003	2831	1198	79374	7	39	4

CONFIRMATION NO. 9617

FILING RECEIPT



OC000000011906318

22242
FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

DOCKETED

MAR 04 2004

BY: D.G.

Date Mailed: 02/17/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) George J. Franks JR., Inverness, IL;

Assignment For Published Patent Application
SENIOR INDUSTRIES, INC.;

Domestic Priority data as claimed by applicant
This application is a CIP of 10/365,293 02/12/2003

Foreign Applications

If Required, Foreign Filing License Granted: 02/13/2004

Projected Publication Date: 08/12/2004

Non-Publication Request: No

Early Publication Request: No

Title

Methods and apparatus to secure a ground strap assembly to an electrically conductive me

RECEIVED
FEB 23 2004

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier date has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 5.13(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, particularly with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

WANTED

The applicant has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.15(b). If 6 months from the filing date of this application and the licensee has not received any indication of a secrecy license is desired before the expiration of 6 months from the filing date of the application pursuant to 37 CFR 5.15(b).

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